

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JASON JERONE HORN, ET AL.

v.

JOHN D. MARTIN, ET AL.

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Civil Action No. 4:17-CV-680

(Judge Schell/Judge Nowak)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On April 5, 2018, the report of the Magistrate Judge (Dkt. #54) was entered containing proposed findings of fact and recommendations that Plaintiffs Jason Jerone Horn and Zera Maria Horn's claims be dismissed pursuant to Federal Rule of Civil Procedure 41. The Magistrate Judge's recommendation was premised on Plaintiffs' repeated refusal to accept certified mailings from the court and to appear for both the March 16, 2018 management conference and motion hearing and the April 2, 2018 Show Cause Hearing, reflecting their failure to diligently prosecute this case and comply with the court's orders.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

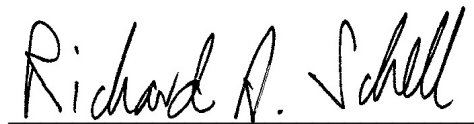
It is, therefore, **ORDERED** that Plaintiffs' claims are **DISMISSED WITHOUT PREJUDICE**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this the 21st day of June, 2018.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath it.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE